

### **REMARKS**

In the Office Action,<sup>1</sup> the Examiner:

- (a) rejected claims 1, 3, 9, and 11 under 35 U.S.C. § 102(e) as being anticipated by Yarlagadda et al. (U.S. Patent No. 7,095,733) ("Yarlagadda");
- (b) rejected claims 2 and 10 under 35 U.S.C. § 103(a) as being unpatentable over Yarlagadda in view of Oh et al. (U.S. Patent No. 7,251,480) ("Oh");
- (c) rejected claims 4 and 12 under 35 U.S.C. § 103(a) as being unpatentable over Yarlagadda; and
- (d) objected to claims 5-8 and 13-16 as being dependent upon a rejected base claim, but stated that the claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant amends claims 5-8 and 13-15 to improve form and clarity. Applicant also cancels claims 1-4 and 9-12 without prejudice to, or disclaimer of, their subject matter. Upon entry of this Amendment, claims 5-8 and 13-16 remain pending. Applicant respectfully traverses the rejections and the objection for at least the following reasons.

#### **Rejection of Claims 1, 3, 9, and 11 under 35 U.S.C. § 102(e):**

Applicant has canceled claims 1, 3, 9, and 11. Accordingly, the rejection of claims 1, 3, 9, and 11 is moot.

#### **Rejection of Claims 2 and 10 under 35 U.S.C. § 103(a):**

Applicant has canceled claims 2 and 10. Accordingly, the rejection of claims 2 and 10 is moot.

---

<sup>1</sup> The Office Action may contain statements characterizing the related art, case law, and claims. Regardless of whether any such statements are specifically identified herein, Applicant declines to automatically subscribe to any statements in the Office Action.

**Rejection of Claims 4 and 12 under 35 U.S.C. § 103(a):**

Applicant has canceled claims 4 and 12. Accordingly, the rejection of claims 4 and 12 is moot.

**Objection to Claims 5-8 and 13-16:**

Applicant gratefully acknowledges the indication of allowable subject matter in claims 5-8 and 13-16. Applicant has re-written claims 5 and 13 into independent form. Therefore the objection is overcome and should be withdrawn.

**Conclusion:**

In view of the foregoing, Applicant requests reconsideration of the application and withdrawal of the rejection. Pending claims 5-8 and 13-16 are in condition for allowance. Accordingly, Applicant requests a favorable action.


If there are any remaining issues or misunderstandings, Applicant requests the Examiner telephone the undersigned representative to discuss them.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: January 29, 2010

By:   
Yanbin Xu Ph.D  
Reg. No. 65,418  
(202)408-4000